BOMBAY ACT No. XVIII OF 1925.[1]

[THE BOMBAY MUNICIPAL BOROUGHS ACT, 1925.]

[*8th June 1926*]

Amended by Bom. 10 of 1926.

" " " 1 of 1927.

" " " 12 of 1927.

" " " 3 of 1930.

" " " 4 of 1930.

" " " 9 of 1930.

" " " 25 of 1930.

" " " 12 of 1931.

" " " 23 of 1931.

" " " 7 of 1932.

" " " 15 of 1932.

" " " 17 of 1933.

" " " 14 of 1934.

" " " 19 of 1935.

" " " 14 of 1936.

" " " 15 of 1936.

" " " 24 of 1936.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

[1] For Statement of Objects and Reasons *see Bombay Government Gazette*, 1925, Part V, pages 187-195; for Report of the Select Committee, *see ibid.*, pages 335-342; and for Proceedings in Council, *see* Council Debates, 1925, Volumes XV and XVI.

Amended by Bom. 9 of 1938.*
" " " 8 of 1939.
" " " 20 of 1944.†
" " " 17 of 1945.‡
" " " 22 of 1945.†
" " " 7 of 1946.†
" " " 1 of 1947.
" " " 2 of 1947.
" " " 41 of 1947.§

Adapted by the India (Adaptation of Existing Indian Laws) Order, 1947.

Amended by Bom. 36 of 1949.
" " " 8 of 1950.
" " " 17 of 1950.**

Adapted and modified by the Adaptation of Laws Order, 1950.

Amended by Bom. 40 of 1950.
" " " 9 of 1951.
" " " 44 of 1951.
" " " 26 of 1953.
" " " 8 of 1954.
" " " 20 of 1954.
" " " 35 of 1954.
" " " 53 of 1954.
" " " 54 of 1954.‡

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* Section 9 of Bom. 9 of 1938, reads as under :—

Saving. "9. (1) Nothing in this Act shall affect any municipality constituted under the District Act or the Boroughs Act or any committee of such municipality constituted immediately before the commencement of this Act, and no appointment, notification, notice, tax, order, scheme, licence, permission, rule, by-law, or form made, issued or imposed by or in respect of such municipality or committee shall be deemed to be invalid by reason only of the fact that this Act has come into force.

(2) Notwithstanding anything contained in this Act, any casual vacancy in such municipality or any committee thereof, shall in the case of a municipality constituted under the District Act, subject to section 17 of the said Act and in the case of municipality constituted under the Boroughs Act subject, to section 25 of the said Act, be filled in the manner provided by either of the said Acts, as the case may be, as if this had not come into force".

† These Acts have been repealed and re-enacted by Bom. I of 1947.

‡ This Act was repealed and re-enacted, and the amendments made by section 9 and schedule E of the said Act have been continued in force by Bom. 52 of 1947, s. 2.

§ Section 7 of Bom. 41 of 1947 reads as under :—

Savings. 7. Nothing in this Act shall affect any local board or any municipality constituted immediately before the coming into operation of this Act ; and notwithstanding anything contained in this Act any casual vacancy in such local board or municipality shall be filled in the manner provided by the respective principal Act under which it was constituted, as if this Act had not come into operation."

** Section 8 of Bom. 17 of 1950 reads as follows :—

Saving. "8. Nothing in this Act shall affect the right of any Councillors or members elected to fill the seats reserved for Muslims or Muhammedans, Anglo Indians or Indian Christians to continue as a Councillor or member of a municipality, local board or village panchayat, as the case may be during the term of the office for which he was validly elected before this Act came into force.

†† Amendments made by this Act have been given retrospective effect, *see* s. 3 of Bom. 54 of 1954.

unless he has, by an order which [1][the [2][State] Government] is hereby empowered to make, if it shall think fit, in this behalf been relieved from the disqualification arising on account of [3][such removal] from office or ;

(*b*) who is an uncertificated bankrupt or an undischarged insolvent or ;

(*c*) who is a Judge.

(*2*) No person—

(*a*) who is a subordinate officer or servant of a municipality, or

[4][(*aa*) who fails to pay any arrears of any kind due by him to the Municipality (otherwise than as a trustee) within three months after a special notice in this behalf has been served upon him, or]

(*b*) who, save as hereinafter provided, has directly or indirectly, by himself or his partner any share or interest in any work done by order of a municipality, or in any contract or employment with or under or by or on behalf of a municipality, [5][or

(*c*) who has directly or indirectly, by himself or his partner, any share or interest in any transaction of loan of money advanced to, or borrowed from, any officer or servant of the municipality,]

may be a councillor of such municipality.

(*3*) A person shall not be deemed to have incurred disqualification under clause (*b*) of sub-section (*2*) by reason of his—

(*i*) having any share or interest in any lease, sale or purchase of any immovable property or in any agreement for the same, or

(*ii*) having a share or interest in any joint-stock company or in any society, registered or deemed to be registered under the Co-operative Societies Act, which shall contract with or be employed by or on behalf of the municipality, or

(*iii*) having a share or interest in any newspaper in which any advertisement relating to the affairs of the municipality may be inserted, or

(*iv*) holding a debenture or being otherwise interested in any loan raised by or on behalf of the municipality, or

(*v*) [6]* * * * * * *

(*vi*) having a share or interest in the occasional sale to the municipality of any article in which he regularly trades, or in the purchase from the municipality of any article, to a value in either case not exceeding in any official year five hundred rupees or such higher amount not exceeding two thousand rupees as the municipality with the sanction of [1][the [2][State] Government] may fix in this behalf, or

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[1] The words " the Provincial Government " were substituted for the words " the Government " by the Adaptation of Indian Laws Order in Council.
[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.
[3] These words were substituted for the words " such sentence or removal " by Bom. 35 of 1954, s. 18 (*1*).
[4] Clause (*aa*) was inserted, *ibid.*, s. 18 (*2*).
[5] This portion was inserted by Bom. 36 of 1949, s. 3 (*i*).
[6] Clause (*v*) was deleted, *ibid.*, s. 3 (*ii*).

(*vii*) having a share or interest in the occasional letting out on hire to the municipality or in the hiring from the municipality of any article for an amount not exceeding in any official year fifty rupees, or such higher amount not exceeding two hundred rupees as the municipality with the sanction of [1][the [2][State] Government] may fix in this behalf, or

(*viii*) being a party to any agreement made with the municipality under the provisions of section 91 or of proviso (*a*) to sub-section (*1*) of section 194.

[3]* * * * * *

Operation of lists.

13. (*1*) When, in accordance with rules framed under [4][clause (*c*) of sub-section (*1*) of section 10], a list of voters has been prepared or, upon a general revision completed, a copy thereof signed by such person as may be designated in this behalf in the rules aforesaid shall be the Municipal Election Roll. A new Election Roll shall be published in each year on such date as may be prescribed by the rules, and shall continue in operation for a period of twelve months from that day :

Provided that if a new Election Roll is not published in any year before the date prescribed, the roll then in operation shall continue in operation until the new roll is published.

Right to vote to depend on entry in roll.

(*2*) At every election of councillors every person enrolled in the Municipal Election Roll as for the time being in operation under sub-section (*1*), shall be deemed to be entitled to vote, and every person not so enrolled shall be deemed to be not entitled to vote.

Enrolment in Municipal Election Roll necessary for elected councillor. Representative of an Association.

14. [5]* * * * * *

..... If any company, body corporate, or other association of individuals is enrolled in the Municipal Election Roll, any one person duly authorised in this behalf by a resolution of such company, body or association to represent such association shall be deemed to be qualified to be elected a councillor.

Determination of validity of elections.

15. (*1*) If the validity of any election of a councillor is brought in question by any person qualified to vote at the election to which such question refers, such person may, at any time within ten days after the date of the declaration of the result of the election, apply to the District Court of the district within which the election has been or should have been held, for the determination of such question :

[6]* * * * * *

(*2*) An inquiry shall thereupon be held by a Judge, not below the grade of an Assistant Judge, appointed by [1][the [2][State] Government] either specially for the case or for such cases generally ; and such Judge may, after such inquiry as he

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[1] The words " the Provincial Government " were substituted for the words " the Government " by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[3] Sub-sections (*4*) and (*5*) were deleted by Bom. 53 of 1954, s. 6.

[4] These words, figures, letter and brackets were substituted for the original words by Bom. 10 of 1926, s. 2, which takes effect from the date when the original Act came into operation.

[5] The words " A person shall not be qualified to be elected a Councillor unless he is enrolled in the Municipal Election Roll Provided that " were deleted by Bom. 17 of 1950, s. 5 (*3*).

[6] The proviso was deleted by Bom. 17 of 1945 read with Bom. 8 of 1950, ss. 5 and 11.

(4) Appointment of presidents and vice-presidents.

Election of president and vice-president. Continuance of president or vice-president holding office at the commencement of this Act.

18. (*1*) A municipality shall be presided over by a president who shall be elected by the councillors from among their number. There shall be a vice-president similarly elected for each municipality. No salaried [1][servant of the [2][Government]] shall be eligible for election as president or vice-president of a municipality and the election of any such person shall be void.

(*2*) A president or vice-president holding office in a municipal district, included or hereafter included in Schedule I, at the time of such inclusion shall be deemed, to have been elected under this section and shall continue to hold the office of president or vice-president as the case may be until a fresh election has been held under the provisions of this Act.

Term of office of president and vice-president.

19. (*1*) Save as otherwise provided in this Act a president or vice-president, shall hold his office for such term, not less than one year [3][or not less than the residue of the term of office of the municipality, whichever is less] and not exceeding [4][four years], as the municipality shall, previous to the election of the president or vice-president determine, or until the expiry within the said term of his term of office, as councillor, but shall be eligible for re-election :

Provided that the term of office of such president or vice-president shall be deemed to extend to and expire with the date on which his successor is elected.

[5][Provided further that where the term of office of a municipality is extended under this Act to a term not exceeding in the aggregate five years the president and vice-president holding offices immediately before the date with effect from which such term is extended shall continue to hold their respective offices until the date on which the term so extended expires.]

President and Vice-president to continue to carry out certain duties until their successors take over charges.

(*2*) On the expiry of the term of office of a municipality the president and vice-president shall continue to carry [6][on] the current administrative duties of their offices until such time as a new president and vice-president shall have been elected and shall have taken over charge of their duties :

[7]* * * * * * *

Election of president and vice-president.

[8][**19A.** (*1*) When a new municipality is constituted after a general election the Collector shall call a meeting for the election of a president and vice-president. The meeting shall be called within twenty-five days from the date on which the names of the councillors of the new municipality are published in the *Official Gazette*, under section 17, but shall not be held on a date prior to the date on which the term of office of the retiring councillors prescribed or extended, as the case may be, under sub-section (*1*) of section 25 expires, or on which the municipality is re-established under sub-section (*3*) of section 219 after dissolution or under sub-section (*5*) of section 219 after supersession, as the case may be.

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[1] The words " servant of the Crown " were substituted for the words " servant of Government ", by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the word " Crown " by the Adaptation of Laws Order, 1950.

[3] These words were inserted by Bom. 54 of 1954, s. 2 (*1*).

[4] These words were substituted for the words " Three years " *ibid.*, s. 2 (2). The amendments made by s. 2 of Bom. 54 of 1954 have been given retrospective effect (*vide* s. 3 of Bom. 54 of 1954.)

[5] This proviso was added by Bom. 35 of 1954, s. 21.

[6] The word " on " was substituted for the word " out " by Bom. 19 of 1935, s. 2 (*1*) (*a*).

[7] The proviso and sub-section (*3*) were deleted by Bom. 8 of 1939, s. 3 (*b*) (*i*) and (*ii*).

[8] Section 19A was inserted, *ibid.*, s. 3 (*c*).

[1][(2) The meeting called under sub-section (1) shall be presided over by the Collector or such officer as the Collector may by order in writing appoint in this behalf. The Collector or such officer shall, when presiding over such meeting, have the same powers as the President of a municipality when presiding over a meeting of the municipality has, but shall not have the right to vote :

Provided that notwithstanding anything contained in section 35, the Collector or the officer presiding over such meeting may, for reasons which in his opinion are sufficient, refuse to adjourn such meeting.

(3) No business other than the election of the President and the Vice-President shall be transacted at such meeting.

(4) If in the election of the President or the Vice-President there is an equality of votes, the result of the election shall be decided by lot to be drawn in the presence of the Collector or the officer presiding in such manner as he may determine.]

Resignation of president and vice-president.

20. A president may resign his office by tendering his resignation in writing to the municipality ; and such resignation shall take effect on its acceptance by the municipality. Such acceptance shall be published in the [2][*Official Gazette*]. A vice-president may resign his office by tendering his resignation in writing to the president.

Liability of president and vice-president to removal.

[3][**21.** (1)] A president or vice-president shall be removable from his office as such president or vice-president by the municipality by a resolution passed to that effect, provided that three-fourths of the whole number of the councillors of the municipality vote in favour of such resolution and provided, further, that before such resolution is passed the president or vice-president is given a reasonable opportunity of showing cause why such resolution should not be passed.

[4][(2) A President or Vice-President shall also be removable from his office as such President or Vice-President by the State Government for misconduct, or neglect of, or incapacity to perform his duty and the President or Vice-President so removed shall not be eligible for re-election as a President or Vice-President during the remainder of the term of office of the municipality.]

Consequences of absence of president or vice-president without leave.

22. (1) Every president who for a period exceeding three months and every vice-president who for a period exceeding one month, shall absent himself from the municipal borough in such manner as to be unable to perform his duties as such president or vice-president, shall cease to be president or vice-president unless leave so to absent himself has been granted by the municipality.

Limit to grant of leave, and arrangement pending absence of vice-president.

(2) Leave under sub-section (1) shall not be granted for a period exceeding six months, and whenever leave is granted to a vice-president under that sub-section, a councillor shall be elected by the councillors from among their number to perform all the duties and exercise all the powers of the vice-president, during the period, for which such leave is granted.

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[1] Sub-sections (2), (3) and (4) were substituted for the original by Bom. 40 of 1950, s. 6.

[2] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.

[3] Section 21 was re-numbered as section 21 (1) by Bom. 40 of 1950, s. 7.

[4] Sub-section (2) was added, *ibid.*

(*ii*) in which he is professionally interested on behalf of a principal or other person, or

[1]* * * * *

[2][(*bb*) is professionally interested or engaged in any case for or against the municipality, or]

(*c*) depart beyond the limits of the Presidency with the declared or known intention of absenting himself continuously for a period exceeding six months, or

(*d*) not being a president or vice-president or a salaried [3][servant of the [4][Government]] absent himself during four successive months from the meetings of the municipality, except with the leave of the municipality,

(*e*) [5]* * * * * * *

he shall [6][subject to the provisions of sub-section (*2*)] be disabled from continuing to be a councillor and his office shall become vacant.

[7][*Explanation.*—For the purposes of clause (*d*) when a councillor applies for leave of absence, leave of the municipality shall be presumed to have been granted unless it is refused within a period of ninety days from the date of his application.]

[8][(*2*) In every case, the authority competent to decide whether a vacancy has arisen shall be the Collector. The Collector may give his decision either on an application made to him by any person or on his own motion. Until the Collector decides that the vacancy has arisen, the councillor shall not be disabled under sub-section (*1*) from continuing to be a councillor. [9][Any person aggrieved by the decision of the Collector may, within a period of fifteen days from the date of such decision, appeal] to the [10][State] Government and the orders passed by the [10][State] Government in such appeal shall be final :

Provided that no order shall be passed under this sub-section by the Collector against any councillor without giving him a reasonable opportunity of being heard].

Casual vacancies how to be filled up.

29. Where a vacancy occurs through the non-acceptance of office by a person elected or appointed to be a councillor, or through such person being disqualified for becoming a councillor, or through any election being set aside under the provisions of sub-section (*2*) of section 15, or through the death, resignation removal or disability of a councillor previous to the expiry of his term of office the vacancy shall be filled up, as soon as it conveniently may be, by the election

[1] Sub-clause (*iii*) was deleted by Bom. 36 of 1949, s. 6 (*i*).

[2] This clause was inserted, *ibid.*

[3] The words " servant of the Crown " were substituted for the words " servant of the Government" by the Adaptation of Indian Laws Order in Council.

[4] This word was substituted for the word " Crown " by the Adaptation of Laws Order, 1950.

[5] Clause (*e*) was deleted by Bom. 35 of 1954, s. 23.

[6] These words, brackets and figure were inserted by Bom. 8 of 1939, s. 3 (*f*) (*i*).

[7] This Explanation was added by Bom. 36 of 1949, s. 6 (*ii*).

[8] This sub-section was substituted for the original by Bom. 8 of 1939, s. 3 (*f*) (*ii*).

[9] These words were substituted for the words "An appeal shall lie against every such decision of the Collector " by Bom. 36 of 1949, s. 6 (*iii*).

[10] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

or nomination as the case may be of a person thereto, who shall hold office so long only as the councillor in whose place he is elected or nominated would have held it if the vacancy had not occurred. [1][Provided that no election shall be held to fill up a vacancy occurring within four months of the date on which the term of the municipality expires.]

[2][A councillor [3]* * * * * * * * whose office has become vacant under section 28 shall, if his disability has ceased, be eligible for re-election.]

(6) Municipal Government. Functions of President and Vice-President.

Municipal government vests in the municipality.

30. *(1)* Except as in this Act otherwise expressly provided, the municipal government of a municipal borough vests in the municipality.

Executive power vests in the Chief Officer.

(2) The executive power for the purpose of carrying out the provisions of this Act vests in the Chief Officer appointed under section 33, subject, wherever it is in this Act expressly so directed, to the approval or sanction of the municipality or of the standing committee and subject also to all other restrictions limitations and conditions imposed by this Act and the rules made thereunder.

Function of president.

31. It shall be the duty of the president of a municipality—

(a) to preside, unless prevented by reasonable cause, at all meetings of the municipality, and subject to the provisions of the rules for the time being in force under clause *(a)* of section 58 to regulate the conduct of business at such meetings ;

(b) to watch over the financial and executive administration of the municipality and to perform such executive functions as may be allotted to him by or under this Act ;

(c) to exercise supervision and control over the acts and proceedings of all officers and servants of the municipality in matters of executive administration and in matters concerning the accounts and records of the municipality ; and, subject to the rules of the municipality at the time being in force, to dispose of all questions relating to the service of the said officers and servants and their pay, privileges and allowances ;

(d) the president of a municipality may in cases of emergency direct the execution or stoppage of any work or the doing of any act which requires the sanction of the municipality, and the immediate execution or doing of which is, in his opinion necessary for the service or safety of the public, and may direct that the expense of executing such work or doing such act shall be paid from the municipal fund :

Provided that—

(a) he shall not act under this section in contravention of any order of the municipality prohibiting the execution of any particular work or the doing of any particular act, and

(b) he shall report forthwith the action taken under this section and the reason therefor to the standing committee at its next meeting.

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[1] This proviso was added by Bom. 19 of 1936, s. 5.

[2] This paragraph was substituted for the original by Bom. 36 of 1949, s. 7.

[3] The words, brackets and figures " whose seat has been deemed vacant under sub-section *(4)* of section 12 or " have been deleted, by Bom. 53 of 1954, s. 7.

Functions of vice-presidents.

32. It shall be the duty of the vice-president of a municipality—

(*a*) in the absence of the president and unless prevented by reasonable cause, to preside at the meetings of the municipality and he shall when so presiding exercise the same authority as is vested in the president under clause (*a*) of section 31;

(*b*) to exercise such of the powers and perform such of the duties of the president as the president may from time to time depute to him; and

(*c*) pending the election of a president, or during the absence of the president to exercise the powers and perform the duties of the president.

(*7*) *Appointment and powers of chief and other municipal officers.*

Appointment of Chief Officer: Conditions of tenure.

[1][**33.** (*1*) There shall be a chief officer in every municipal borough who shall be a graduate of a recognized university or a qualified engineer appointed by the municipality:

[2][Provided that a person who is not a graduate of a recognized University or a qualified engineer may be appointed as a Chief Officer in the following cases:—

(*i*) if such appointment is temporary or

(*ii*) if the municipal borough has an annual income of less than two lacs of rupees:

Provided further that—

(*a*) in the case falling under clause (*i*), the previous sanction of the Director of Local Authorities shall be obtained if the temporary period of appointment exceeds two months at a time;

(*b*) in the case falling under clause (*ii*), the previous sanction of the State Government shall be obtained.

(*1A*) Nothing in sub-section (*1*) shall apply in respect of a Chief Officer permanently appointed as Chief Officer under the Bombay District Municipal Act, 1901, before the coming into force of this Act.]

Bom. III of 1901.

(*2*) No Chief Officer shall be removed from office, reduced or suspended unless by the votes of at least two-thirds of the whole number of councillors; and no such officers shall be punishable with fine.]

Powers and duties of Chief Officer.

34. (*1*) The Chief Officer shall—

(*a*) subject to the general control of the president, watch over the financial and executive administration of the municipality and perform all the duties and exercise all the powers specifically imposed or conferred upon him by, or delegated to him under this Act;

(*b*) subject to the provisions of sub-section (*4*), exercise supervision and control over the acts and proceedings of all officers and servants of the municipality as regards appointments referred to in clause (*c*) in matters of executive administration and in matters concerning the accounts and records of the municipality; and subject further to the rules of the municipality for the time being in force, dispose of all questions relating to the service of the officer and servants and their pay, privileges, leave and allowances;

[1] This section was substituted for the original section by Bom. I of 1926, s. 3, which takes effect from the date when the original Act came into operation.

[2] This portion was substituted for the provisoes by Bom. 53 of 1954, s. 8.

(*c*) subject to the provisions of sub-section (*4*) appoint to any post the monthly salary for which as fixed by rules made under clause (*c*) of section 58 does not exceed Rs. 50 and to any other post the appointment to which has not been otherwise provided for by such rules ;

(*d*) with the permission of the President furnish to the Collector, or such other officer as the Collector shall from time to time nominate in this behalf, a copy of every resolution passed at any meeting of the municipality ;

(*e*) subject to the provisions of this Act and of the bye-laws for the time being in force thereunder, grant, give and issue, under his signature all licences and permissions which may be granted or given by the municipality or the standing committee under this Act, other than licences for markets or slaughter-houses ;

(*f*) receive and recover and credit to the municipal fund all fees payable for licences and permissions granted or given by him under the powers aforesaid ;

(*g*) subject to the orders of the president, or of the standing committee or of the municipality, as the case may be, take prompt steps to remove any irregularity pointed out by the auditor appointed under section 210 ;

(*h*) report to the President and the standing committee all cases of fraud, embezzlement, theft, or loss of municipal money and property.

(*2*) The Chief Officer may—

(*a*) subject to the provisions of sub-section (*4*) fine, reduce, suspend or dismiss any municipal servant whose salary does not exceed Rs. 30 and subject further to the provisions of the rules for the time being in force, any other municipal officer or servant, not being the health officer, engineer or auditor of the municipality :

Provided that in respect of any punishment other than a fine not exceeding one week's salary his order shall be subject to an appeal either to the standing committee or, if the rules for the time being in force so provide, to the municipality ;

(*b*) subject to the provisions of this Act and of the by-laws for the time being in force thereunder, at his discretion suspend, withhold or withdraw any licence, in any case in which he is empowered to grant or give a licence and in which the municipality or the standing committee r ay suspend, withhold or withdraw such licence ;

(*c*) with the sanction of the standing committee, delegate any of his powers or duties to any municipal officer or servant :

Provided that such delegation shall be subject to such limitations, if any, as may be prescribed by the standing committee, and also to control and revision by the Chief Officer.

(*3*) The Chief Officer shall at any time supply any return, statement, account or report or a copy of any document in his charge, called for by the municipality or the standing committee and shall comply with any orders passed by the municipality of the standing committee thereon.

(4) The powers conferred on the municipality by or under any of the provisions of this Act to appoint, grant leave of absence to, punish or dismiss any master, teacher or other person employed in a primary or other school vested in or maintained by the municipality, or employed in any educational institution aided by the municipality, shall not be exercised by the Chief Officer.

Appointment of health officer and engineer.

(5) (*a*) A municipality may appoint a health officer and an engineer or any one or more of such officers, whether temporarily or permanently.

(*b*) No such officer shall be removable from office, reduced or suspended unless by the assent of at least two-thirds of the whole number of councillors, and no such officer shall be punishable with fine.

Power of [3][State] Government to require the removal of a chief officer, health officer or an engineer.

[1][**34A.** (*1*) Notwithstanding anything contained in section 33 and sub-section (*5*) of section 34, it shall be lawful for [2][the [3][State] Government] on the recommendation of any municipality supported by a resolution passed by a majority of the councillors present at a special general meeting called for the purpose to make in its discretion an order vetoing the continuance in office of any person holding the appointment of a chief officer, a health officer or an engineer :

Provided that—

(*a*) notwithstanding anything contained in sub-section (*7*) of section 35, no resolution shall be passed by such meeting unless a quorum shall have been present throughout ; and

(*b*) no order shall be made under this section unless an inquiry has been made into the matter by such person and in such manner as [2][the [3][State] Government] may direct and unless the person affected by the order has been given a reasonable opportunity at the inquiry of explaining the allegations made against him.

(*2*) The tenure of office by any person whose continuance in office is vetoed under sub-section (*1*) shall cease and determine on and from such date as may be appointed by [2][the [3][State] Government], in that behalf].

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[1] This section was inserted by Bom. 3 of 1930, s. 2.
[2] The words " the Provincial Government " were substituted for the word " Government " by the Adaptation of Indian Laws Order in Council.
[3] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[1](*h*) * * * * * * *

[1](*i*) * * * * * * *

(*j*) for the registration of births, deaths, and marriages [2]* * * * within the municipal borough and for enforcing the supply of such information as may be necessary to make such registration [3]* * * effective ; registration of births, etc.;

(*k*) regulating the disposal of the dead and the maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition, due regard being had to the religious usages of the community or section of the community entitled to the use of such places for the disposal of the dead ; regulating the disposal of the dead;

(*l*) for enforcing the supply of information as to any cases of dangerous disease, and carrying out the provisions of sections 179 and 180 ; for enforcing supply of information as to epidemics;

(*m*) for enforcing the supply of such information by inhabitants of the municipal borough as may be necessary to ascertain their respective liabilities to any tax imposed therein ; for enforcing information as to liability to municipal taxation;

(*n*) fixing octroi limits and stations ; providing for the exhibition of tables of octroi ; regulating, subject to any general or special orders which [4][the [5][State] Government] may make in this behalf, the system, under which refunds are to be made on account thereof when the animals or goods on which the octroi has been paid, or articles manufactured wholly or in part from such animals or goods, are again exported, and the custody or storage of animals or goods declared not to be intended for use or consumption within the municipal borough ; and prescribing a period of limitation after which no claim for refund of octroi shall be entertained and the minimum amount for which any claim to refund may be made ; octroi;

(*o*) fixing terminal tax limits and stations, providing for the exhibition of tables of terminal tax, and regulating the mode of recovery of such tax ; terminal tax;

(*p*) for conserving and preventing injury to sources and means of water supply and appliances for the distribution of water, whether within or without the limits of the municipal borough, and regulating all matters and things connected with the supply and use of water and the turning on or turning off and preventing the waste of water, and the construction, maintenance and control of municipal water-works, and of pipes and fittings in connection therewith, whether the property of the municipality or not ; for protecting water;

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[1] On the coming into force of Part VI of the Bombay Weights and Measures Act, 1932 (Bom. 15 of 1932) in any area, clauses (*h*) and (*i*) shall be deemed to have been repealed.—(*Vide* Bom. 15 of 1932, s. 47 and Second Schedule, Part II). Clauses (*h*) and (*i*) run as follows :—

" (*h*) for the inspection of weights and measures under section 177 and for the stamping of weights and measures and for charging fees for the same ;

(*i*) for defining the standard weights and measures used within the municipal borough ; "

[2] The words " and the taking of a census " were omitted by the Adaptation of Indian Laws Order in Council.

[3] The words " or census " were omitted, *ibid.*

[4] The words " the Provincial Government " were substituted for the words " the Government ", *ibid.*

[5] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

Explanation.—Sources and means of water supply shall include private wells which are used by the public.

[1][(*pp*) for securing an adequate supply of pure water to persons occupying residential premises ;]

public baths, etc ; (*q*) regulating the use of public bathing and washing places within the municipal borough ;

conservancy ; (*r*) regulating sanitation and conservancy and the disposal of the carcasses of dead animals ;

temporary structures and buildings ; (*s*) regulating the conditions on which permission may be given for the temporary occupation of, or the erection of temporary structures on public streets or for projections over public streets ;

buildings ; (*t*) regulating the structure and dimensions of plinths, walls, foundations, roofs and chimneys of new buildings for the purpose of securing stability and the prevention of fires, and for purposes of health, and determining the purposes for which existing or newly erected buildings may be used in any area ;

streets ; (*u*) for preventing the erection of buildings without adequate provision being made for the location and laying out of streets ; and for the payment of compensation in such cases when necessary ;

ventilation ; (*v*) for ensuring the adequate ventilation of buildings by the provision and maintenance of sufficient open space either internal or external and of doors and windows and other means for securing a free circulation of air ;

for requiring lighting staircases, etc., at night ; [2][(*vv*) for requiring an owner of a building divided into two or more separate tenements to provide adequate means of lighting at night time a staircase, passage or private court of or in any such building or the spaces near or leading to latrines or urinals or washing places therein and of extinguishing such lights ;]

qualified surveyors ; (*w*) prescribing the qualifications of surveyors or persons by whom plans required under section 123 are to be prepared, or of plumbers ; for licensing persons to be surveyors or plumbers and, fixing the fees chargeable for such licences ; and for modifying the provisions of or revoking such licences ; and prohibiting any alterations or repairs or fittings to water or drainage pipes or house connections being carried out or made except by such persons ;

drains ; (*x*) regulating, in any other particular not specifically provided for in this Act, the construction, maintenance and control of drains, sewers, ventilation shafts, receptacles for dung and manure, cesspools, water closets, privies, latrines, urinals and drainage or sewerage works of every description whether the property of the municipality or not ;

requiring information and plans in certain cases ; (*y*) determining the information and plans to be required by the municipality under sections 117 and 123 ;

controlling unwieldy traffic ; (*z*) prohibiting vehicular traffic in any particular street, so as to prevent danger, obstruction or inconvenience to the public, by fixing up posts at both ends of such street or portion of such street, prohibiting the transit of any vehicles of such form, construction, weight or size or laden with such heavy or unwieldy objects

[1] This clause was inserted by Bom. 36 of 1949, s. 10 (*b*).
[2] Clause (*vv*) was inserted by Bom. 53 of 1954, s. 9.

as may be deemed likely to cause injury to the roadways or to any construction thereon, or risk or obstruction to other vehicles or to pedestrians along or over any street, except under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of lights and assistants, and other general precautions as may be prescribed either generally in such by-laws or in special licences to be granted in each case upon such terms as to time of application and payment of fees therefor as may be prescribed in such by-laws :

Provided that no such by-law relating only to any particular street or portion of a street shall be deemed to be in force, unless and until notices of such prohibition shall have been posted up by the municipality in conspicuous places at or near both ends of such street or portion of a street ;

(*aa*) securing the protection of public parks, gardens and open spaces, vested in or under the control of the municipality, from injury or misuse, regulating their management and the manner in which they may be used by the public, and providing for the proper behaviour of persons in them ; public parks;

[1](*bb*) prescribing the conditions on or subject to which licences may be granted, refused, suspended or withdrawn for the use of hand-carts, and hand-barrows, other than those plying for hire in respect of which licences have been granted under the Bombay Public Conveyances Act, 1920, and providing for the seizure and detention of any hand-carts or hand-barrows which have not been duly licensed in pursuance of the by-laws made under this section ; Bom. VII of 1920.

[1](*cc*) prescribing the conditions on or subject to which licences may be granted, refused, suspended or withdrawn for hawking or exposing for sale in any public place or street any article whatsoever, whether it be for human consumption or not ;

[1] Clauses (*bb*) and (*cc*) were inserted by Bom. 19 of 1935, s. 7 (*i*).

writing, stating the grounds on which the valuation or assessment is disputed; all applications so made shall be registered in a book to be kept by the standing committee for the purpose.

Hearing of objections.

(*3*) The standing committee, after allowing the applicant an opportunity of being heard in person or by agent, shall—

(*a*) investigate and dispose of the objections,

(*b*) cause the result thereof to be noted in the book kept under sub-section (*2*), and

(*c*) cause any amendment necessary in accordance with such result to be made in the assessment list:

[1][Provided that before any such amendment is made the reasons therefor shall be recorded in the book kept under sub-section (*2*)]

[2][Provided further that] powers and duties of the standing committee under this sub-section may be transferred to any other committee appointed by the municipality or with the permission of the Commissioner, to any officer or pensioner of [3][the [4][Government]].

Authentication of list.

(*4*) When all objections made under this section have been disposed of and all amendments required by sub-section (*3*) have been made in the assessment-list, the said list shall be authenticated by the signatures of the chairman and at least one other member of the standing committee, or if the standing committee's powers and functions under sub-section (*3*) have been transferred to any other committee or to an officer or pensioner of [5][the [4][Government]], by the signatures of not less than two members of such committee or of the officer or pensioner aforesaid; the person or persons so authenticating the list shall certify that no valid objection has been made to the valuation and assessment contained in the list except in the cases in which amendments have been made therein.

Custody and inspection of list.

(*5*) The list so authenticated shall be deposited in the municipal office, and shall there be open for inspection during office hours to all owners and occupiers of property entered therein or to the agents of such persons, and a notice that it is so open shall be forthwith published.

Authenticated list how far conclusive.

(*6*) Subject to such alterations as may be made therein under the provisions of section 82 and to the result of any appeal or revision made under section 110, the entries in the assessment list so authenticated and deposited and the entries, if any, inserted in the said list under the provisions of section 82 shall be accepted as conclusive evidence—

(*i*) for the purposes of all municipal taxes, of the valuation, or annual letting value on the basis prescribed in the rules regulating the rate, of buildings, lands and both the buildings and lands to which such entries respectively refer, and

(*ii*) for the purposes of the rate for which such assessment list has been prepared, of the amount of the rate liable on such buildings or lands or both buildings and lands in any official year in which such list is in force.

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[1] This proviso was added by Bom. 35 of 1954, s. 26 (').

[2] These words were substituted for the words " Provided that ", *ibid.*, s. 26 (*2*).

[3] The words " the Crown " were substituted for the word " Government " by the Adaptation of Indian Laws Order in Council.

[4] This word was substituted for the word " Crown " by the Adaptation of Laws Order, 1950.

[5] The words " the Crown." were substituted for the words " the Government ", by the Adaptation of Indian Laws Order in Council.

Amendment of assessment-list. Notice of new buildings.

82. (*1*) The standing committee may at any time alter the assessment-list by inserting or altering an entry in respect of any property, such entry having been omitted from or erroneously made in the assessment-list through fraud, accident or mistake or in respect of any building constructed, altered, added to or reconstructed in whole or in part, where such construction, alteration, addition or reconstruction has been completed after the preparation of the assessment-list, after giving notice to any person interested in the alteration of the list of a date not less than one month from the date of service of such notice, before which any objection to the alteration should be made.

Objections how dealt with.

(*2*) An objection made by any person interested in any such alteration, before the time fixed in such notice, and in the manner provided by sub-section (*2*) of section 81, shall be dealt with in all respects as if it were an application under the said section.

Effect of amendment.

(*3*) An entry or alteration made under this section shall subject to the provisions of section 110, have the same effect as if it had been made in the case of a building constructed, altered, added to or reconstructed on the day on which such construction, alteration, addition or reconstruction was completed or on the day on which the new construction, alteration, addition or reconstruction was first occupied, whichever first occurs, or in other cases, on the earliest day in the current official year on which the circumstances justifying the entry or alteration existed ; and the tax or the enhanced tax as the case may be shall be levied in such year in the proportion which the remainder of the year after such day bears to the whole year.

Notice to be given to the standing committee of demolition or removal of a building.

83. (*1*) When any building or any portion of a building which is liable to the payment of a rate on buildings or lands or both is demolished or removed, otherwise than by order of the standing committee, the person primarily liable for the payment of the said rate shall give notice thereof, in writing, to the Chief Officer.

(*2*) Until such notice is given the person aforesaid shall continue liable to pay every such rate as he would have been liable to pay in respect of such building, if the same, or any portion thereof, had not been demolished or removed.

(*3*) Provided that nothing in this section shall apply in respect of a building or portion of a building which has fallen down or been burnt down.

New assessment-list need not be prepared every year.

84. (*1*) It shall not be necessary to prepare a new assessment-list every year. Subject to the condition that every part of the assessment-list shall be completely revised not less than once in every four years, the Chief Officer may adopt the valuation and assessment contained in the list for any year, with such alterations as may be deemed necessary, for the year immediately following.

(*2*) But the provisions of sections 80, 81 and 82 shall be applicable every year as if a new assessment list had been completed at the commencement of the official year.

Power of State Government to appoint persons to prepare and authenticate list in case of default by municipality.

[1]**[84A.** (*1*) Where in any year a new assessment list is prepared, or a list is revised, or the valuation and assessment contained in the list for the year immediately preceding is adopted with or without alteration, such new, revised or adopted assessment list shall be authenticated in the manner provided by section 81 at any time not later than the thirty-first day of July of the official year to which the list relates, and if it is not so authenticated, then the State Government shall appoint such person or persons as it thinks fit to prepare, revise or adopt and

[1] Section 84A was inserted by Bom. 53 of 1954, s. 10.

authenticate the assessment list, and thereupon such person or persons shall duly authenticate such list at any time before the last day of the official year to which such list relates, and sections 78 to 81 or section 84 shall, as far as may be, apply to the preparation, revision or adoption of the list, as the case may be, by the person or persons appointed by the State Government.

(*2*) Where the State Government appoints any person or persons for the purpose of preparing, revising or adopting and authenticating an assessment list under sub-section (*1*), the expenses incurred by such person or persons for such purpose and the reasonable remuneration payable to such person or persons shall be recovered by the State Government in the manner provided by section 218.]

Tax from whom primarily leviable.

85. A tax imposed in the form of a rate on buildings or land or both shall be leviable primarily from the actual occupier of the property upon which the tax is assessed if he is the owner of the property, or holds it on a building or other lease from the [1][2[Government]] or from the municipality, or on a building lease from any person. Otherwise the tax shall be primarily leviable as follows, namely :—

(*a*) if the property is let from the lessor ;

(*b*) if the property is sublet, from the superior lessor ;

(*c*) if the property is unlet, from the person in whom the right to let the same vests :

Recovery from occupiers.

Provided that where the tax is based on the annual letting value, on failure to recover any sum due on account of such tax from the person primarily liable, such portion of the sum may be recovered from the occupier of any part of the property in respect of which it is due, as bears to the whole amount due the same ratio, which the rent annually payable by such occupier bears to the aggregate amount of rent so payable in respect of the whole of the said property, or to the aggregate amount of the letting value thereof, if any, stated in the authenticated assessment-list whichever of those two amounts is the greater :

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[1] The word " Crown " was substituted for the words " Secretary of State for India in Council " by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the word " Crown " by the Adaptation of Laws Order, 1950.

Provided further that before giving such sanction the Commissioner shall call upon the person against whom the proceedings are to be instituted to show cause why the sanction should not be given.

(*2*) No court inferior to that of a Magistrate of the first class shall try any offence against this Act.

Audit report to be sent to certain officers and bodies as [3][State] Government may direct.

8. [1][As soon as practicable after the completion of the audit, but not later than three months thereafter,] the Examiner shall prepare a report on the accounts audited and examined and shall send such report to the local authority concerned and copies thereof to such officers and bodies as [2][the [3][State] Government] may direct.

Audit report what to contain.

9. The Examiner shall include in his report a statement of—

(*a*) every payment which appears to him to be contrary to law,

(*b*) the amount of any deficiency or loss which appears to have been caused by the gross negligence or misconduct of any person,

(*c*) the amount of any sum received which ought to have been but is not brought into account by any person, and

(*d*) any material impropriety or irregularity which he may observe in the accounts other than those mentioned in clauses (*a*), (*b*) and (*c*) above.

Local authority to remedy defects : Procedure to be followed after report of the Examiner under section 8.

10. [4][(*1*) On receipt of a report under section 8, the chairman shall remedy any defects or irregularities which may have been pointed out in the report, and shall place the report, together with a statement of the action taken or proposed to be taken thereon and an explanation in regard thereto before a meeting of the local authority. He shall also, within three months of the receipt of the report, send to the Examiner intimation of his having remedied the defects or irregularities, if any, pointed out in the report, or shall, within the said period, supply the Examiner any further explanation in regard to such defects or irregularities as the local authority may wish to give.]

(*2*) On receipt of such intimation or explanation the Examiner may, in respect of all or any of the matters discussed in his report,

(*a*) accept the intimation or explanation given by the [5]* * chairman and withdraw the objection, or

(*b*) direct that the matter be re-investigated at the next audit or at any earlier date, or

(*c*) hold that the defects or irregularities pointed out in the report or any of them have not been removed or remedied.

(*3*) The Examiner shall send a report of his decision to the Commissioner within one month of the date of the receipt by him of the intimation or explanation of the [5]* * chairman referred to in sub-section (*1*) or in the event of the [4]* * chairman failing to give such intimation or explanation, on the expiry of the period of three months mentioned in the said sub-section and shall forward a copy of such report to [6][the chairman]. If the Examiner holds that any defects or irregularities have not been removed or remedied he shall state in the report whether, in his opinion, the defects or irregularities can be regularised and if so, by what method ;

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[1] These words were substituted, by Bom. 12 of 1949, s. 4.

[2] The words " the Provincial Government " were substituted for the words " the Government " by the Adaptation of Indian Laws Order in Council.

[3] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[4] This sub-section was substituted for the or ginal by Bom. 12 of 1949, s. 6.

[5] The words " president or " were deleted, *ibid.*

[6] These words were substituted for the original, *ibid.*

and if they do not admit of being regularised, whether they can be condoned and, if so, by what authority. He shall also state whether the amounts to which the defects or irregularities relate should, in his opinion, be surcharged or charged :

Provided that in the case of reports on the accounts of school boards and of such local authorities as are specially notified by [1][the [2][State] Government] in this behalf the report referred to in this sub-section shall be submitted by the Examiner to such officer, being the head of a department, as [1][the [2][State] Government] may direct. Such officer shall take such action as may be necessary regarding any defects or irregularities falling under clause (*c*) of sub-section (*2*) which may have been brought to notice in the report. If he is of the opinion that the amounts to which any such defects or irregularities relate should be surcharged or charged, he shall forward the report *to the Commissioner together with his recommendation in that behalf.

(*4*) The local authority concerned shall publish in its next administration report, such portions of the report under section 8 as deal with defects and irregularities falling under clause (*c*) of sub-section (*2*), together with the explanation thereof, if any, given under sub-section (*1*) and the final report of the Examiner thereon under sub-section (*3*). Such report of defects and irregularities, explanation and final report shall be open to the inspection of the public at the office of the local authority for a period of one month from the date of their receipt and shall also be published in the [3][regional language] of the district in any newspaper circulating in the district selected by the local authority within one month of the receipt by it of the copy of the report sent to the Commissioner under sub-section (*3*).

(*5*) If [4][the chairman] fails to give the intimation or explanation referred to in sub-section (*1*) within the period therein mentioned the Commissioner may, at the instance of the Examiner, publish in the [3][regional language] of the district the whole of the Examiner's report under section 8, together with any observations which the Commissioner may make thereon, in any newspaper circulating in the district which the Commissioner may select and the cost of such publication shall be [4][forthwith paid by the local authority concerned. If such cost is not so paid, the Commissioner may make an order directing any person, who for the time being has custody of any moneys on behalf of the local authority, as its officer, treasurer, banker or otherwise, to pay the amount of such cost from such moneys as he may have in his hands or may from time to time receive, and such person shall be bound to obey such order. Every payment made pursuant to such order shall be sufficient discharge to such person from all liability to the local authority in respect of any amount paid by him out of the moneys of the local authority so held by him.]

(*6*) Nothing in this section or in section 9 shall preclude the Examiner at any time from bringing to the notice of the Commissioner, for such action as the Commissioner may consider necesssary, any information which appears to the Examiner to support a presumption of criminal misappropriation or fraud [5][or which in his opinion deserves special attention or immediate investigation].

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[1] The words " the Provincial Government " were substituted for the word " Government" by the Adaptation of Indian Laws Order in Council.
[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.
[3] These words were substituted for the word " vernacular " by Bom. 12 of 1949, s. 6.
[4] These words were substituted for the original, *ibid.*
[5] These words were added, *ibid.*
* The word ' to ' was substituted for the word " of " as the later was a misprint.

Explanation 1.—The equivalent value of the abovementioned iridio-platinum cylinder when weighed in Standard Indian Air against Brass Weights having a specific gravity of 8·143 is 1800·00394 grains, i.e., a brass weight whose value in vacuo is 1800·00394 grains will exactly equilibrate the abovementioned iridio-platinum cylinder in Standard Indian Air.

Explanation 2.—Since the Bombay tola equals 180 grains in vacuo, its absolute value is equivalent to ·10000856 of the absolute value of the abovementioned iridio-platinum cylinder. But in practice, all verifications against the abovementioned iridio-platinum cylinder are carried out by weighments in air, and therefore the value 1800·00394 grains is always used for verifying weights.

Explanation 3.—Standard Indian Air is defined as follows :—

Temperature : 85 deg. Fahr.—29·44 deg. Cent. Pressure : A column of mercury at 0 deg. C. 29·8 inches or 756·919 mm. in height. Carbon diox. gas : 0·0006 of the volume of air. Vapour tension : 0·75 inches = 19·05 mm. Latitude at Calcutta 22° 35'6·6". Height above M. S. L.=22·6 feet. 1 litre of Standard Indian Air at Calcutta weighs 1·14917 grm.

Dry measures—
The Bombay seer.
The sub-multiples ½, ¼ and ⅛ seer.
The Bombay Chatak = 1/16 seer.
The Adpao = ¼ seer.
The Adholi = 2 seers.
The Bombay payali of 4 seers.
The Bombay Maund of 16 payalis.
The Bombay Map of 2 maunds.

Liquid measure—
The Bombay seer.
The sub-multiples ½, ¼, ⅛ and 1/16 seer.
The multiples 2, 4 and 8 seers.
The Imperial gallon.
The Pint = ⅛ gallon.

Dry and Liquid measures—Explanations—

Explanation 1.—The unit of capacity called the Bombay seer is equivalent to the volume occupied by 80 tolas of air-free distilled water weighed in Standard Indian Air against brass weights having a specific gravity of 8·143.

Explanation 2.—The unit of capacity called the Imperial gallon contains ten British Standard pounds of water at 62° F. being in volume 277·274 cub. in., which contains each 252·724 grains of water in a vacuum at 62° or 252·458 grains of water weighed with the brass weights in air of 62° with the barometer at 30 in.

Length—
The Yard—
The Inch = 1/36th yard, and
The Foot = ⅓rd yard.
The Furlong of 220 yards.
The Mile of 1,760 yards.
The yard is that unit of length which is exactly equal to the certified yard kept in the custody of the Mint Master, Bombay.

Area and volume—

The Square Yard, Square Foot and Square Inch.
The Cubic Yard, Cubic Foot and Cubic Inch and sub-multiples of a Cubic Inch.
The anna of $\frac{1}{16}$ of the guntha.
The Guntha of 121 square yards and the acre of 4,840 square yards for land measurement.
The Square of 100 square feet.
The Brass of 100 cubic feet.

THE SECOND SCHEDULE.

(*See* section 47.)

PART I.

Enactments amended.

No. and year of Act.	Title.	Amendments.
		Acts of the Governor of Bombay in Council.
III of 1901 ...	The Bombay District Municipal Act, 1901.	For section 143 the following section shall be substituted, namely :—
		"143. The president, vice-president, or any councillor or officer authorized by the municipality in this behalf may at all reasonable times enter into any place [1][(other than a place prescribed by rules made under the Bombay Weights and Measures Act, 1932)] where weights or measures or weighing or measuring instruments are used or kept for purposes of trade and inspect such weights or measures or weighing or measuring instruments." Powers of inspection of weights and measures etc.
VI of 1923 ...	The Bombay Local Boards Act, 1923.	After section 61A the following section shall be inserted namely :— [*See* section 61B of Bom. 6 of 1923,].
XVIII of 1925 ...	The Bombay Municipal Boroughs Act, 1925.	For section 177 the following section shall be substituted namely :— [*See* section 177 of Bom. 18 of 1925,].
[2][XVII of 1933 ...	The City of Karachi Municipal Act, 1933.	In section 165 after the word "place" the words, figures and brackets "(other than a place prescribed by Government by rules made under the Bombay Weights and Measures Act, 1932)" shall be inserted.

[1] These words, figures and brackets were inserted by Bom. 9 of 1935, s. 6 (*1*).
[2] The entry was added by Bom. 9 of 1935, s. 6 (*2*).